

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SO YOUNG KANG,
Plaintiff,

v.

WELLS FARGO BANK, N.A., et al.,
Defendants.

Case No. [16-cv-04309-DMR](#)

ORDER OF DISMISSAL

Re: Dkt. No. 54

On December 8, 2017, Plaintiff So Young Kang filed the operative first amended complaint, alleging six claims against Defendants Wells Fargo Bank, N.A. and Clear Recon Corp.: 1) violation of the California Homeowner's Bill of Rights ("HBOR") section 2923.55; 2) violation of HBOR section 2923.6; 3) violation of HBOR section 2923.7; 4) injunctive relief pursuant to HBOR section 2924.12; 5) California's Unfair Competition Law; and 6) violation of HBOR section 2937. First Amended Complaint [Docket No. 53]. Wells Fargo moved to dismiss the first amended complaint. [Docket No. 54].

The court held a hearing on Wells Fargo's motion on March 22, 2018. [Docket No. 78]. At the hearing, Plaintiff's counsel conceded that the first five claims were not viable. Order Re Defendant Wells Fargo Bank, N.A.'s Motion to Dismiss the First Amended Complaint at 8 [Docket No. 79]. With respect to the remaining claim for violation of HBOR section 2937, the court granted leave to file a second amended complaint by April 16, 2018 if Plaintiff could do so in a manner consistent with Rule 11. *Id.* at 9.

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Plaintiff did not file a second amended complaint. The court concludes that Plaintiff has determined that the section 2937 claim is not viable, and now dismisses the entire case.

IT IS SO ORDERED.

Dated: April 23, 2018

